Supreme Court, U.S.
97 • 592 OCT - 2 1997
OFFICE OF THE CLERK

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1997

FRANK J. CAMOSCIO,

PETITIONER,

vs.

JORGE QUIROGA AND PAUL LEWIS,

RESPONDENTS.

ON PETITION FOR WRIT OF CERTIORARI

TO THE SUPREME JUDICIAL COURT

OF THE COMMONWEALTH OF MASSACHUSETTS

PETITION FOR WRIT OF CERTIORARI

FRANK J. CAMOSCIO
PRO SE
252 HANOVER STREET
BOSTON, MASSACHUSETTS 02113
(617) 720-2849

APP

QUESTIONS PRESENTED

A. SHOULD THE PETITIONER BE PENALIZED WHEN THE DISTRICT COURT LOSES AND MISLAYS FILED DRAFT REPORTS APPROVED BY THE JUDGE IN THE NEWTON DISTRICT COURT ?

B. SHOULD THE RESPONDENTS' BE GRANTED COSTS FOR LYING TO THE NEWTON DISTRICT COURT AND TO THE PUBLIC CONCERNING THE PETITIONER ?

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PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME JUDICIAL COURT OF THE
COMMONWEALTH OF MASSACHUSETTS

Petitioner, Frank J. Camoscio, respectfully prays that a writ of certiorari issue to review the judgment and opinion of the Massachusetts Court of Appeals entered in the above-entitled cause on July 7, 1997.

I.

OPINION BELOW

The memorandum opinion of the Court of Appeals is attached as Appendix A, although in its arrogance said court failed to explain its judgment.

* * *

II.

JURISDICTION

The opinion of the Court of Appeals of Massachusetts was entered on July 7, 1997. A timely petition for further appellate review was denied by the Supreme Judicial Court of Massachusetts on August 12, 1997.

The jurisdiction of this Court is invoked under Title 42 § 1983 of U.S.C.A. The Respondents have intentionally conspired with others to deny the Petitioner redress, due process and equal access to the Court under the First and Fourteenth Amendments of the United States Constitution and Article XII of the Constitution of the State of Massachusetts.

III.

CONSTITUTIONAL PROVISIONS INVOLVED

The First Amendment of the United States Constitution provides:

> Congress shall make no law repecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.
> (Emphasis added to pertinent section)

The Fourteenth Amendment, Section 1 of the United States Constitution provides:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
> (Emphasis added to pertinent section)

Article XII, Constitution of Massachusetts provides:

No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate,

but by the judgment of his peers, or the law of the land.

And the legislature shall not make any law, that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury. [See Amendments, Art. XLVIII. The Initiative, II, sect. 2.]

IV.

STATEMENT OF FACTS

The Petitioner, Frank J. Camoscio, filed a draft report as ordered by Judge Klein of the Newton District Court, and copies as required by the court were delivered to the Respondents' attorneys and signed for by their office.

What the Appeals Court does not address is that the Newton District Court lost or mislayed the Draft Reports filed and accepted by the clerk of that court.

The Petitioner should not be punished for the mishandling of court records by the court. The Draft Reports were properly filed and accepted by the court. Copies of the Draft Report were received by opposing attorneys and signed for when they received them. A copy of this signature from the Respondents' law firm was given to the court, Judge Bletzer and to Judge Klein also. This point was not addresses by the Appeals Court.

The Appeals Court states that the Petitioner obtained a transfer of this case to the Superior Court. This statement is not true. It was Judge Bletzer

in Newton District Court that had the case transferred to the Superior Court Department.

V.

REASONS FOR GRANTING THE WRIT

A. THE PETITIONER SHOULD NOT BE DENIED ACCESS TO THE COURTS, AND DENIED DUE PROCESS BECAUSE THE NEWTON DISTRICT COURT LOST THE PETITIONER'S FILED DRAFT REPORTS.

The appeals court is wrongly punishing the Petitioner for the Newton District Court's wrong-doings.

The Petitioner states that these wrong-doings have violated his constitutional rights of equal access to the courts.

The Petitioner prays that this honorable court allow him to refile the draft reports lost by the Newton District Court and then let the courts act on the proofs placed in front of them, proving the Petitioner's innocence.

B. THE PETITIONER SHOULD NOT BE PENALIZED FOR THE RESPONDENTS' LYING TO BOTH THE NEWTON DISTRICT COURT AND TO THE PUBLIC IN THEIR FALSE NEWS ARTICLES.

The Respondents' always referred the Newton District Court Judges to the fact that the Petitioner had lost his medical license for committing malpractice, and that the Supreme Judicial Court had upheld the Regulatory Board's decision that the Petitioner had committed malpractice.

The Supreme Judicial Court had come

down with a decision in 1984 against the Petitioner without any proofs in their possession. The official transcript of the adjudicatory proceedings against the Petitioner were never given to the Supreme Judicial Court to review as is required by the law. The official transcript was prepared by Levine and O'Brien the official court transcribers, paid for by the Petitioner.

The Petitioner demanded at the onset of the adjudicatory hearings that an official record be kept of the proceedings. This was done by a motion to the hearings officer and the motion was accepted by the hearings officer that Levine and O'Brien prepare the official transcript at the expense of the Petitioner.

In the Commonwealth of Massachusetts a strange law exists. When a decision is

rendered in an adjudicatory hearing concerning one of the regulatory boards, the aggrieved party is not allowed the right to appeal his decision but is only entitled to a review of the proceedings by the Supreme Judicial Court. The Supreme Judicial Court in the Petitioner's case did not review the official court transcript, instead the hearings officer gave the Supreme Judicial Court 801 pages of unofficial papers containing many missing and duplicated pages, with missing testimony that proved beyond any reasondouby that the Petitioner was innocent. When the Petitioner made the Supreme Judicial Court aware that the official record and evidence from the adjudicatory hearings was not given to them to review, The Supreme Judicial Court only stated that they could only review what is given to them by the hearings officer, even

if it were tampered with records and evidence and not the official court records. Based on the perjured and tampered with evidence given to them by the hearings officer the Supreme Judicial Court made their decision to uphold the regulatory boards decision against the Petitioner. The official records and evidence is still available to prove the Petitioner's innocence. To show that this was an on going battle with the regulatory board and the Supreme Judicial Court please see Judge DeGuglielmo's Decision attached as Appendix C, pages C1 to C8.
Please pay particular attention to page 3 of this decision. This document shows the attitude of the regulatory board against the Petitioner.

The Supreme Judicial Court could not reveal what was contained on the missing and duplicated pages of the 801 pages

given them by the hearings officer to review. Yet, the Supreme Judicial Court made their decision to strip the Petitioner of his livelihood for life based on these perjured 801 pages of unofficial records.

The Regulatory Board only had 2 witnesses both podiatrists, Jonathan Scarlet and Lloyd Smith. Both these men lied and committed perjury by giving false testimony when being examined by the regulatory board. When it came time for the Petitioner to cross-examine these 2 witnesses they refused to return to the stand, and never returned to the hearings. Both these 2 witnesses were under subpoenas to testify. The hearings officer refused to enforce the subpoena and struck their testimony from the record and refused to halt the hearings for these wrong-doings. Yet, in his final decision the hearings officer stated for the record that the perjured

testimony of these 2 witnesses weighed heavily against the Petitioner. These 2 witnesses also lied as to their credentials concerning hospital affiliations and in areas of expertise in which they had no knowledge. Their sole purpose was to discredit the Petitioner. The proof of these 2 witnesses was given to the hearings officer for the record, and copies are still in the hands of the Petitioner.

On the 3 patients that are mentioned in the letter to show cause that the regulatory board stated had filed complaints against the Petitioner were also fabricated. Please see the letter received from the Supreme Judicial Court under the freedom of information act to produce the complaints logged against the Petitioner that they reviewed that led to their decision to remove the Petitioner's medical license for life. See copy in Appendix on pages

D1 through pages D20.

Based on total fabrication, both by the Regulatory Board and the Supreme Judicial Court the Petitioner has been without livelihood for 13½ years.

One possible reason why the Supreme Judicial Court came down with this outrageous decision is because it's Clerk at that time was John E. Powers was found guilty of issuing a fraudulent license to his former girlfriends daughter a Ms. Anne Hunnicut to practice podiatry from the same institution from which the Petitioner was the record keeper.

Because of this incidence John E. Powers was unable to seek higher office after leaving the State Senate as its President.

The Attorney General of Massachusetts at that time was Edward Brooke who stated to John E. Powers in the presence of his First Assistant Attorney General Willy Davis and the Petitioner that the State of Massachusetts would not seek any action against him for issuing a fraudulent license as long as he did not seek higher political office. At the time John E. Powers was considering running for either Mayor of the City of Boston or Governor of the Commonwealth of Massachusetts.

If the Respondents' had investigated the records at the regulatory board and at the Supreme Judicial Court which are public records, they would have not written such a scandalous story about the Petitioner for the records would have shown that the Petitioner was innocent of all charges levied against him.

Even Court Ordered documents to be placed on record by Judge Herbert Abrams were not given to the Supreme Judicial Court to review thus defying a Court Order by the Commonwealths Superior Court. See copy of Judge Herbert Abrams Court Order attached in Appendix on pages E1 to E3.

VI.

CONCLUSION

The Petitioner has demonstrated that his original complaint should have been heard by a trial by jury. Under Article XV of the State of Massachusetts Constitution the Petitioner is guaranteed this right. The Respondents' never denied that they could not answer the Petitioner's complaint. The Respondents' attorneys argued that their clients did not

know whether the statements contained in the Petitioner's complaint were true. The Petitioner states that all the information was shown to the Respondents' making it known that the complaint was completely true and that the Respondents' had deliberately aired a false and slanderous story.

Judge Klein dismissed this case and then denied the Draft Report, after the Petitioner had followed the judges instructions in preparing the Draft Report. Following Rule 64 of the Massachusetts Rules of Civil Procedure, District Court, the Petitioner filed to establish the Draft Report and gave copies to both Judge Klein and to the Respondents' attorneys. These Draft Reports have disappeared. The Petitioner sought equal access to the Court and to have Draft Reports refiled.

Judge Klein has refused the Petitioner to be heard and has failed to appear in Court on June 30, 1995. This Act by Judge Klein prejudiced the Petitioner proving it was impossible to get equal access to the Court.

The Petitioner presented new proof to the Court that the Supreme Judicial Court's Decision removing his license to practice was false. Under Rule 60(b) of the Massachusetts Rules of Civil Procedure the Petitioner is entitled to file a new complaint, but because Judge Klein dismissed the case with prejudice and refused to let the Petitioner file a new complaint the Appeals Court must set aside judgment and allow the Petitioner the right to file a new case since there is proof that no complaint was ever filed against the Petitioner that resulted in

his permanent loss of license. The Petitioner also states that no one was ever injured and filed a complaint against him as appeared in the television story as a digitalized person. The Petitioner therefore seeks a trial by jury to settle these differences as guaranteed by the XV Amendment of the State of Massachusetts Constitution.

For the foregoing reasons this Petition For Writ Of Certiorari to the Supreme Judicial Court of the Commonwealth of Massachusetts should be granted.

Respectfully submitted,

Frank J. Camoscio

FRANK J. CAMOSCIO
252 HANOVER STREET
BOSTON, MASSACHUSETTS 02113

DATED: September 30, 1997

Richard F. LaMonica

Richard F. LaMonica
Notary Public
My Commission Expires July 17, 2003

APPENDIX

COMMONWEALTH OF MASSACHUSETTS

Appeals Court for the Commonwealth

At Boston,

In the case no. 96-P-972

FRANK J. CAMOSCIO

vs.

JORGE QUIROGA & another.

pending in the Superior Court for the County of Middlesex

Ordered, that the following entry be made in the docket:

Order denying motion to set aside judgment sffirmed with double costs.

By the Court,

APPENDIX "A"

_____ ,Clerk.

Date July 7, 1997

Signed by:

Clerk

Appeals Court for the Commonwealth

Nancy Turck Foley

SUPREME JUDICIAL COURT FOR THE COMMONWEALTH

ROOM 1412 COURT HOUSE

BOSTON, MASSACHUSETTS 02108

(617) 557-1020

STATE SEAL

SUSAN MELLEN
Assistant Clerk

L. HOLLIEY WHITE
Assistant Clerk Pro Tem

August 12, 1997

Frank J. Camoscio
252 Hanover Street
Boston, Massachusetts 02113

Re: Camoscio v. Quiroga & another

Dear Sir:

Your request for leave to file the enclosed application for further appellate review has been considered by the Court and denied. Justice Abrams did not

participate in this decision.

Very truly yours,

Susan Mellen
Assistant Clerk

Signed by:

No written signature by Clerk, Susan Mellen, area for signature of Susan Mellen left blank.

N.B. FOR CLERK"S USE ONLY

JUDGMENT ENTERED ON DOCKET SEPTEMBER 22 1978 PURSUANT TO MASS.R.CIV.P.58(a) AND NOTICE SENT TO PARTIES PURSUANT TO MASS.R.CIV.P.77 (d) AS FOLLOWS:

****

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
CIVIL ACTION

No. 99221

Frank J. Camoscio PLAINTIFF(S)

v.

Board of Registration DEFENDANT(S)
in Podiatry

JUDGMENT ON FINDINGS BY THE COURT

THIS ACTION ON FOR HEARING BEFORE THE COURT, DeGuglielmo, J., PRESIDING, AND THE ISSUES HAVING BEEN DULY HEARD AND FINDINGS HAVING BEEN DULY RENDERED; IT IS ORDERED AND ADJUDGED AS FOLLOWS:

1. The decision of the respondent board be Annulled, and the matter be remanded for rehearing within 90 days from the effective date of the Order.

DATED AT BOSTON, MASSACHUSETTS, THIS 22nd DAY OF Sept 19 78

FORM OF JUDGMENT APPROVED:

MICHAEL JOSEPH DONOVAN,
CLERK OF COURT

J.

ASSOCIATE JUSTICE OF THE SUPERIOR COURT

By: _____
ASSISTANT CLERK

Form Civ.P.34c (Rev.) 1-77 500

Signed by:

Kevin G. Murphy
Assistant Clerk
Suffolk Superior Court

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. Superior Court
No. 99221

FRANK J. CAMOSCIO,
Plaintiff,

vs.

THOMAS F. CONNOLLY, ROBERT A. SMITH, ANTHONY M. MAIELLA, WILLIAM B. GIADONE, HAMMOND I. BENDER, as they constitute the Board of Registration in Podiatry,
Defendants.

This is a petition brought under the provisions of G. L. c. 30A, S 14 in which the Petitioner claims to be aggrieved by a decision, dated March 13, 1974, of the Respondent Board of Registration in Podiatry.

The case was submitted to the Court on a transcript of the record consisting of 247 pages and three exhibits.

Factually, it appears that the petitioner and one Dr. Edward J. Fleming

are engaged in the profession of podiatry. On December 29, 1973, the petitioner, by letter to the respondent, challenged, inter alia, the educational prerequisites (see G. L. c. 112, S 14 & 16) of Dr. Fleming for registration under the Statutes of the Commonwealth. The Board, after investigation, held a hearing at which the petitioners and Dr. Fleming were invited to attend together with counsel and witnesses.

On March 6, 1974, a hearing was held before respondent Board. The petitioners and Fleming with respective counsel were present and participated in the hearing. The petitioner and his witnesses testified and submitted exhibits. Dr. Fleming did not testify and presented no evidence.

The Court recognizes that under the mandate of Berman v. Board of Registration of Medicine, 355 Mass. 358, the decision of the Board as to whether to hold a hearing is purely discretionary and beyond re-

view by the Court. However, once that discretion is exercised and the Board determines to hold a hearing, that hearing must be conducted under the rules of judicial procedure as promulgated by G. L. c. 30A, S 14.

I rule that the petitioner herein, having been called as complainant to testify at a hearing, was made a party to the matter here under Paragraph 8 of G. L. c. 30A, S. 14. The hearing, once granted, must, as a matter of law, be cloaked with the same requirement of fairness and justice which is demanded in all judicial proceedings. All legislative prerequisites pertaining to the educational requirements of an applicant for registration in the field of podiatry as provided by G. L. c. 112, S. 16 must be met.

The sole issue for determination by the respondents was whether Dr. Fleming had those educational prerequisites for

registration as a podiatrist. The Board made no effort to inquire of Dr. Fleming as to his educational qualifications. Instead the board spent its entire time interrogating the petitioner and his witness. Questions were asked and when the petitioner attempted to answer or explain, he was interrupted and silenced. The petitioner's past personal experiences with the respondent were exploited. Member of the Board indicated hostility towards the petitioner. Private interviews between members of the Board and witnesses outside of the hearing room and not under oath were considered by member of the Board in his individual decision. Despite the virtual autocracy of the various administrative Boards they are still required to maintain an aura of justice and fairness. An examination of the transcript clearly shows that this standard was not met by

the members of the respondent board.

Further, the respondents have no power to waive the educational prerequisites to registrater as set forth by the Legislature. Chapter 112, S. 16. The Board has still to determine whether Dr. Fleming has or has not met the requirements of c. 211, S. 16.

The respondents filed 15 requests for rulings. I do not pass on Requests for Rulings 1-10 because they are requests for findings of fact. I grant Request 12, 13 and 14 as abstract propositions of law. With the exception of the last sentence in Request Number 16, which reads, "Dr. Camoscio failed to sustain his burden in this case," is granted. I deny Request for Rulings Numbers 11-15.

ORDER

On the basis of the foregoing, I order the decision of the respondent Board

annulled and the matter remanded for re-hearing within 90 days from the effective date of this order under the provisions of G. L. c. 30A, S. 14, Subsec. 8d, e, g, for re-hearing consistent with the requirements enumerated herein.

By the Court:

Joseph A. DeGuglielmo,
District Court Judge
Sitting in Superior Court

Entered: Sept 22/78

Signed by:

Joseph A. DeGuglielmo
District Court Judge
Sitting in Superior Court

Supreme Judicial Court
1300 NEW COURT HOUSE
BOSTON, MASSACHUSETTS 02108

Maria Z. Mossaides
Administrative Assistant

557-1165

Robert S. Bloom
Deputy Administrative
Assistant

June 9, 1995

Frank J. Camoscio
252 Hanover Street
Boston, MA 02113

Dear Mr. Camoscio:

Your request for information (received by the Court on April 21, 1995) addressed to Chief Justice Liacos has been referred to me. In response to your request for copies of complaints filed by Mildred Buonato, Elaine R. Favuzza and Carrie I. Smith, I have gone through the files of your case in two offices - the Clerk of the Supreme Judicial Court (SJC) for the Commonwealth (SJC-3700) and the Clerk of the SJC for Suffolk

County (No. 84-123).

Enclosed are copies of the only documents from the persons you named. These include an affidavit from Mildred Buonato and four letters from Carrie Smith. None of these fit your description of "complaints."

Your request for a case number is unclear. In going through your files, I found the following case numbers: SJC 3700, 84-123; and Superior Court Civil Action Number 56398.

Very truly yours,

Robert S. Bloom

RSB:aw

Enc.

Signed by:

Robert S. Bloom

Deputy Administrative Assistant

May 17, 1982

Division of Hearing Officers
1 Ashburton Place
Room 1021
Boston, Mass. 02202

To Whom It May Concern:

I have recently learned that the Board of Registration in Podiatry is holding a hearing the end of June with Dr. Frank J. Camoscio, Director of the New England Foot Clinics, 719 Boylston St., Boston, Mass. as the defendant.

I was both shocked and outraged when I heard this especially when the context of the hearing concerns me.

Let it be known that I have never made a complaint about Dr. Camoscio. I am sure that if a complaint was made regarding my treatments, it was unjustified. There must be a misunderstanding on the

part of the insurance company.

I have been a patient of Dr. Camoscio's since September of 1971. Prior to 1971 I went to several podiatrists but none of them really helped me. My foot problems were getting worse - not better. My feet hurt terribly when I walked (and they hurt even more when I sat down). I was also bothered with terrible foot and leg cramps.

Dr. Camoscio was highly recommended to me by two people at work. Both had been his patients (Ann Brown and Peg Kearney - both now retired).

I have never regretted starting treatments at the Foot Clinic. Dr. Camoscio told me I had a chronic foot problem and that the treatments would take a long time. It

took a long time, just like he said it would; but after several years, my feet really felt good. I was able to do a lot of walking and hiking which I couldn't do before and mercifully the cramps were few and far between.

I paid cash for all my treatments at the time they were rendered and turned the receipts in every 3-6 months to the girl at work who handles the insurance claims.

During the summer of 1979 the nail on the little toe of my right foot was giving me a lot of trouble. It had bothered me off and on before but not to such an extent as it did then. I asked Dr. Camoscio about it, and he said the only way to get rid of the problem was to remove the nail. He suggested that I get another opinion but I wouldn't hear of it. I think he's a wonderful doctor, and I wouldn't even consider anyone else. I

have all the faith in the world in him. Rather than setting up different appointments for my regular treatments (which I still could not do without) and the surgery on my toe nail, he incorporated them at the same time. He removed the toe nail on July 28, 1979 and for about 2½ months after that I had to have antibiotic injections and a clean dressing put on the toe so it wouldn't get infected. In conjunction with the care of the little toe was my regular foot treatments which at that time consisted of injection therapy (a muscle relaxant) and orthopedic bandages.

I find Dr. Camoscio to be a very kind, honest, sincere and sympathetic man. He does everything he possibly can to help his patients. I was hospitalized last October for a month for cancer surgery and I didn't see him for three months. He was a godsend during that time. I called him on

the phone several times and talked to him and he really boosted my morale.

My feet had a setback during my convalescence, and I returned to the clinic to resume treatments. Because of Dr. Camoscio my foot problems are better, and I can't remember when I had my last agonizing cramp. He has helped me tremendously and I will be forever grateful to him.

I find it appalling that anyone would want to hurt such a great doctor as he is. He is very dedicated to his profession; his patients come first.

If all doctors had the same high principles he has, what a good world this would be for those of us who depend on them.

Carrie I. Smith
519 Quincy Shore Drive
North Quincy, Mass. 02171

Signed by:

Carrie I. Smith

Commonwealth of Massachusetts)
SS
County of Norfolk)

Before me, a notary public, in and for said coumty, personally appeared the above named Carrie I. Smith who acknowledged that she did sign the foregoing instrument, and that same is her free act and deed for the pruposes therein set forth.

In testimony whereof, I have hereunto subscribed my name at Quincy, Massachusetts this 3rd day of June 1982.

Signed by:

Linda E. Flaherty

Notary Public

Seal of notary public pressed and stamped.

519 Quincy Shore Drive
No. Quincy, Mass. 02171
February 1, 1980

Governor Edward King
State House
Boston, Mass.

Dear Governor King:

I am writing regarding the article in the Boston Globe on Wednesday, January 30, 1980 pertaining to the foot doctor who has a state sanctioned license to practice podiatry.

The "doctor", Edward J. Fleming, according to the article, never even graduated from a school of podiatry. The Board of Registration in Podiatry, which is appointed by the governor, issued the license to him.

I would like to know, governor, why you reappointed Dr. Thomas Connolly as chair-

man of this board. Dr. Connolly has known for many years, according to the article, that Edward Fleming was not qualified to receive a license to practice podiatry. Dr. Frank J. Camoscio of the New England Foot Clinics, 719 Boylston St., Boston brought this to the attention of the board back in 1973.

This board has been out to crucify Dr. Camoscio because he is trying to expose them. The board has suspended Dr. Camoscio's license twice. The first time was after a dispute with a patient who wanted his records. Is that a reason for suspending a doctor's license? It sounds absurd to me. Yet, "doctor" Fleming, who isn't even qualified to cut corns and calluses, has a license to treat all kinds of foot problems. Where is the logic to this?

I don't know of any doctor who is as dedicated to his profession and his patients as Dr. Camoscio is. He really cares about us. I have been a patient of his for many years, and I have found him to be the most honest and highly principled person that I know - a rare treasure these days. It is because of his honesty and principles that he wants to see justice done. Why should Dr. Camoscio have to suffer because of the bureaucracy? He is the innocent one.

What is to prevent the board from issuing licenses to other unqualified persons seeking them? Maybe "Doctor" Fleming isn't the only one.

How do we, the unsuspecting public, know that when we go to a doctor (whose license is nicely framed on the wall of the waiting room) he is qualified - let alone capable - of treating our ailments. It's frightening

when you stop to think of it. The consequences could be severe.

Sincerely,

Carrie Smith

Signed by:
Carrie Smith

519 Quincy Shore Drive
No. Quincy, Mass. 02171
March 6, 1980

The Commonwealth of Massachusetts
Executive Office of Consumer Affairs
One Ashburton Place
Boston, Mass. 02108

Attention: Ms. Kim Brobisky Lucero
Assistant Secretary

Dear Ms. Lucero:

I received your letter of February 26, 1980 which, I am assuming, was supposed to be a reply to my letter of February 1 to Governor Edward J. King.

The impression that I get from your letter is that you are evading the issue.

The questions in my letter to the Governor are:

1. Why was Dr. Thomas Connolly re-appointed as Chairman of the Board of Registration in Podiatry

when he fraudulently issued a license to Edward Fleming?

2. Why is the Board of Registration in Podiatry out to crucify Dr. Frank J. Camoscio of the New England Foot Clinics? Is it because he is trying to expose them? They even suspended his license on two occasions - for reasons which I thought absurd.

Thank you for writing, but my questions still haven't been answered. Perhaps you could write again and enlighten me. I would appreciate it.

Sincerely,

Carrie Smith

Signed by:
Carrie Smith

519 Quincy Shore Drive
No. Quincy, Mass. 02171
February 1, 1980

Boston Globe
135 Wm. T. Morrissey Blvd.
Dorchester, Mass. 02107

Letter to the Editor:

I am writing regarding the article in the Globe on Wednesday, January 30, 1980 "Foot Doctor Sans Degree Given License".

I am a patient of Dr. Camoscio and have known him for several years. I don't know any doctor who is as dedicated to his profession and his patients as he is. He really cares about us. I know what he has been going thru in his long, lone struggle with the Board of Registration in Podiatry. They are out to crucify him because he is trying to expose them. Why should he have to suffer because of the bureaucracy? He is the innocent one.

Why was his license suspended by the board because of a dispute over a patient's records? Does the board have the power to suspend the license of an excellent doctor over such a trivial thing as this and yet allows a man who never even completed medical school to practice? Does this make sense? Not to me it doesn't. It sounds absurd.

Isn't the Board of Registration in Podiatry appointed by the governor? Why was Dr. Thomas Connolly reappointed as chairman of the board? He has known for many years that Edward Fleming was not qualified to be licensed. What kind of a man is this Dr. Connolly? How many other licenses has he issued to unqualified persons? It makes you wonder doesn't it.

How do we, the unsuspecting public, know that when we go to a doctor (whose license

is nicely framed on the wall in the waiting room) he is even qualified - let alone capable - to treat our ailments. It's frightening when you stop to think about it. The consequences could be severe.

Sincerely,

Carrie Smith

Signed by:
Carrie Smith

AFFIDAVIT

I, Mildred C. Buonato, hereby on my oath, swear and affirm as follows:

1. I have never at any time made a formal or an informal complaint against Dr. Frank J. Camoscio.

2. I have talked from time to time with Mr. Smith of the Board of Registration in Podiatry and he has offered assistance in obtaining reimbursement from Medicare and Blue Shield for Podiatric services rendered.

3. Mr. Smith invited me to send a letter to him giving the name of Dr. Frank J. Camoscio as my podiatrist.

4. At no time did I ever indicate to Mr. Smith that Dr. Camoscio did anything other than help me or was responsible for my suffering.

5. I believe it is irresponsible for the Board through Mr. Smith to specifically request that I send a letter for administrative assistance and to term it a formal written letter of complaint against my podiatrist without my express permission.

6. Mr. Smith and the Board of Registration in Podiatry have interfered with my relationship with Dr. Camoscio and I object to this interference.

Signed under the pains and penalties of perjury this 4th day of April, 1982.

Mildred C. Buonato

Signed by:
Mildred C. Buonato

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
No. 56398

FRANK J. CAMOSCIO,	)
Plaintiff	)
v.	)
BOARD OF REGISTRATION IN PODIATRY,	)
Defendant	)

ORDER

In the above-entitled action it is Ordered that Dr. Frank J. Camoscio produce for inspection the patient records of Elaine Rose Favuzza and Carrie Irene Smith requested by the Board of Registration in Podiatry by delivering them to counsel for the Board, Maureen Fox, Assistant Attorney General, in Room 2019, One Ashburton Place, Boston, Massachusetts on or before December 2, 1982. It is the further Order of the

Court that, assuming that the records are produced by December 2, 1982, in compliance with this Order, the Board shall arrange for a formal adjudicatory hearing to be held not sooner than December 9, 1982, nor later than December 17, 1982. It is further Ordered that the Board shall arrange for witness subpoenas to be issued to the said Elaine Rose Favuzza and Carrie Irene Smith and that the affidavit of Mildred C. Buonato dated April 4, 1982 be admitted into evidence by the Hearing Officer in the absence of her availability to otherwise testify. This Order replaces the Order dated August 18, 1982.

Herbert Abrams
Justice of the Superior Court

Dated: November 15, 1982

Signed by:

This Court Order was not signed by the Judge who ordered it, Judge Herbert Abrams, Justice of the Superior Court.